(1) (4)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

WRIT PETITION(S) NO. 7365 OF 2006

PETITIONER Sunder Singh S/o Shri Dashrath Singh, aged about 39 years, Occupation –Assistant Teacher, Government Primary School Bhainan Tola, Block Marwahi, District **BILASPUR** C.G.

P.R. No. 7496/06
Presented by Shri D.L. Kumhar
Dated 19/12/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through Secretary, Department of Tribal Welfare Department, D.K.S. Bhawan Raipur
2. The Assistant Commissioner, Tribal Welfare DepartmentBilaspur, District Bilaspur C.G.
3. Block Education Officer, Block Marwahi, District Bilaspur C.G.

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WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE LIKE NATURE ETC.

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO. 7365 OF 2006

Petitioner : Sunder Singh

versus

Respondents : State of Chhattisgarh and others

And

WRIT PETITION (S.) NO. 7366 OF 2006

Petitioner : Laxmi Prasad Tiwari

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Rakesh Pandey, counsel for the petitioners.
Mr. Anupam Dubey, Panel Lawyer for the State/respondents.

ORDER

(Passed on 4th Day of December, 2006)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1].

2. In subsequent cases, i.e., Writ Petition (S.) No.5862 of 2006 (***Hemant Kumar Vishwakarma*** vs. ***State of Chhattisgarh and others***) and other connected matters, decided by this Court on 12-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.5862 of 2006 (*Hemant Kumar Vishwakarma* vs. *State of Chhattisgarh and others*) (Supra).

3. For the aforementioned reasons, these writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Certificate at their own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on record in other connected writ petition.

Sd/-
Satish K.Agnihotri
Judge

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